

# Order

Michigan Supreme Court  
Lansing, Michigan

June 10, 2010

Marilyn Kelly,  
Chief Justice

140637-40

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

GMAC, L.L.C.,  
Plaintiff-Appellant,

v

SC: 140637-8  
COA: 289261-2  
Ct of Claims: 07-000152-MT  
08-000043-MT

DEPARTMENT OF TREASURY,  
Defendant-Appellee.

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NUVELL CREDIT COMPANY, L.L.C.,  
Plaintiff-Appellant,

v

SC: 140639-40  
COA: 289263, 289266  
Ct of Claims: 07-000154-MT  
08-000044-MT

DEPARTMENT OF TREASURY,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the December 3, 2009 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARKMAN, J. (*dissenting*).

I would grant leave to appeal to address the following questions: (1) whether the Due Process Clause of Const 1963, art 1, § 17 says anything different concerning the constitutionality of retroactive application of state tax laws than does Article V of the United States Constitution; and (2) whether it is relevant in enacting retroactive tax laws that the Legislature asserting that such laws are “curative,” and intended to express the “original intent of the Legislature,” is not the Legislature that enacted the laws in question but a subsequent Legislature. I would direct that this case be argued and submitted together with *Ford v Dep’t of Treasury*, No. 140624.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 10, 2010

*Corbin R. Davis*

Clerk